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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
AT TACOMA

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 v.

12 JOHN E. and SHIRLEY PRICE,

13 Defendants.

Case No. C07-5218FDB

ORDER GRANTING MOTION OF
WILLIAM B. F. PRICE TO
INTERVENE

14 The United States brought this cause of action to enforce the Fair Housing Act, 42 U.S.C. §§
15 3601, *et seq.*, on behalf of William B. Freeman Price (no relation to defendants), who moves to
16 intervene in this case. Plaintiff alleges that the defendants refused to grant William Price's requests
17 for reasonable accommodation and retaliated against him for exercising rights protected by the Fair
18 Housing Act. Defendants contend that William Price did not disclose adequate information about his
19 medical condition, need for accommodation, made unreasonable demands, and the apartment
20 community where he lived. This case was filed May 1, 2007, and the Joint Status Report was filed
21 August 16, 2007.

22 On September 9, 2008, William Price moved to intervene as of right under 42 U.S.C. §
23 3612(o)(2). None of the parties dispute that William Price has a right to intervene under this statute.
24 Defendants oppose the intervention because it has the potential to further delay the proceedings in
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1 this matter and to cause a third continuance of the trial date, which had previously been continued in
2 order to accommodate mediation. The parties had a mediation scheduled with Judge Pekelis on
3 September 23, 2008, but the mediation was cancelled when William Price's counsel filed a notice of
4 appearance on August 28, 2008.

5 The United States does not oppose the motion to intervene, recognizing William Price's right
6 to intervene under the statute, and further argues that the motion is timely. The United States
7 argues that the three factors to consider from *United States v. Or.*, 745 F.2d 550, 552 (9th Cir. 1984)
8 weigh in favor of intervention. First, the stage of the proceeding: the case is currently in discovery,
9 which closes January 26, 2009, so it is still early days. Second, the prejudice to other parties:
10 William Price's proposed complaint is nearly identical in all respects to the United States' Complaint,
11 so the scope of the litigation will not be expanded. Third, and finally, William Price's intervention
12 should not delay ongoing settlement efforts, but will allow him to directly represent his remedial
13 interests in this litigation.

14 While the question remains as to why William Price delayed so long in moving to intervene in
15 this case, the current case schedule without expansion or substantial change in the litigation can
16 accommodate the entry of William Price, on whose behalf the United States is suing. Accordingly,
17 there will be no change in the case schedule as currently set, and the parties are admonished to work
18 diligently and in good faith to meet the action dates.

19 NOW, THEREFORE, IT IS ORDERED: William B. F. Price's Motion To Intervene [Dkt. #
20 24] and Amended Motion To Intervene [Dkt. # 26] are GRANTED.

21 DATED this 30th day of September, 2008.

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24 FRANKLIN D. BURGESS
25 UNITED STATES DISTRICT JUDGE
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